

FEB 11 2014

JAMES W. McCORMACK, CLERK
By: _____

Plaintiff

V.

**J.B. HUNT TRANSPORT
SERVICES, INC. and
REGINALD RISER**

Defendants

CIVIL ACTION

NO. 4:144077-Suu

JURY DEMANDED

This case assigned to District Judge _____
and to Magistrate Judge _____

COMPLAINT

COMES NOW, DERL WILSON, Plaintiff, complaining herein of J.B. HUNT
TRANSPORT SERVICES, INC., Defendant, and for cause of action, states:

I.
PARTIES

1. Plaintiff is an individual who resides in Dallas County, Texas.
2. Defendant J.B. HUNT TRANSPORT SERVICES, INC. is a trucking and transportation company, operating throughout the United States of America. Defendant J.B. HUNT TRANSPORT SERVICES, INC. conducts its business primarily in the State of Georgia.
3. Defendant J.B. HUNT TRANSPORT SERVICE, INC. is licensed to do business in the State of Arkansas and may be served with process through its registered agent for service: John Roberts, 615 J.B. Hunt Corp. Drive, Lowell, AR 72745.
4. Defendant, REGINALD RISER, is an individual, who lives at 3424 Radford Road, Memphis, Tennessee 38111-4124.

5. Defendant RISER may be served personally at 3424 Radford Road, Memphis, Tennessee 38111-4124.

II.
JURISDICTION and VENUE

6. Jurisdiction is proper under 28 U.S.C. § 1332 in that the amount in controversy greatly exceeds the minimum jurisdictional requirements of this Court and there is complete diversity among Plaintiff and Defendants.

7. Plaintiff's medical bills and treatment exceed \$161,000.00 and has been almost exclusively rendered in Dallas, Texas. Therefore, Plaintiff believes the most appropriate venue is Federal Court in the Eastern District of Arkansas, Little Rock Division.

III.
FACTUAL BACKGROUND

8. On or about February 12, 2012, Plaintiff, DERL WILSON was asleep in the sleeper cab of his tractor-trailer that was parked at the PetroTruck Stop, 3205 Valentine Road, North Little Rock, Arkansas. Plaintiff's vehicle was struck multiple times on the driver's side by an 18-wheeler owned and operated by J.B. HUNT TRANSPORT SERVICES, INC. and/or driven by their agent/employee who was under J.B. HUNT TRANSPORT'S direct supervision and control. The impact caused Plaintiff, DERL WILSON, to be thrown from his sleeper resulting in serious injuries to him.

IV.
NEGLIGENCE

9. Plaintiff will show that at and immediately before the occurrence in question, Defendant, REGINALD RISER was guilty of acts and/or omissions which constituted negligence. These acts and/or omissions include the following:

- a. faulty evasive action;
- b. driving too fast;
- c. improper lookout;
- d. failure to yield the right-of-way; and,
- e. failure to apply brakes.

Each of the above-mentioned acts or omissions constituted negligence which was the proximate cause or causes of the occurrence in question and the resulting damages sustained by Plaintiff.

V.
RESPONDEAT SUPERIOR

10. Plaintiff incorporates by reference the allegations set forth above as if fully set forth at length in support of claims against Defendants. At all times mentioned herein, RISER was in the course and scope of his employment with Defendant J.B. HUNT TRANSPORT SERVICES, INC. and/or Defendant RISER was an agent under the supervision and control of J.B. HUNT TRANSPORT SERVICES, INC. Therefore, Plaintiff relies, in part on the legal theory of *respondeat superior* and agency for recovery against Defendant J.B. HUNT TRANSPORT SERVICES, INC.

VI.
INJURIES

11. Plaintiff DERL WILSON sustained the following serious bodily injuries as a direct and proximate result of the Defendants' negligence:

- a. concussion;
- b. shoulder injuries resulting in two (2) surgeries;
- c. left neck injuries;

- d. low back injuries; and
- e. body generally.

VII.
DAMAGES

12. As a direct and proximate result of the negligence of Defendants as alleged herein, Plaintiff suffered the following damages:

- a. past medical expenses in excess of the jurisdictional limits of the Court;
- b. future medical expenses in excess of the jurisdictional limits of the Court;
- c. past and future physical pain, suffering and mental anguish;
- d. loss of earnings and loss of earning capacity;
- e. past and future disfigurement; and
- f. past and future physical impairment.

VIII.
JURY DEMAND

13. Pursuant to Federal Rules of Civil Procedure, Plaintiffs requests trial by jury as to all issues of fact.

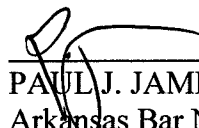
14. Plaintiffs request pre-judgment and post-judgment interest as allowed by law.

IX.
PRAYER FOR RELIEF

15. FOR THE REASONS STATED, Plaintiff prays that Defendants be cited in terms of law to appear and answer and that Plaintiff, upon final trial of this cause, have judgment against Defendants, J.B. HUNT TRANSPORT SERVICES, INC. and REGINALD RISER, jointly and severally, in an amount in excess of the minimum jurisdictional limits of this Court, for costs of Court, pre-judgment and post-judgment interest at the highest legal rate, for the

recovery of actual damages, and for such other and further relief, both special and general, to which Plaintiff may be entitled, in that of law and equity.

Respectfully submitted,



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